

REMARKS

1. STATUS OF THE CLAIMS

Claims 1- 26 are currently pending.

Claims 1- 26 are rejected.

Claims 1- 5, 9, 11 - 13, and 16 to 20 have been amended. Support for these amendments can be found throughout the application as originally filed.

Claims 6 - 8, 10, 14, 15 and 21 - 26 have been withdrawn without prejudice.

Claims 27 - 36 have been added. Support for these new claims can be found throughout the application as originally filed.

2. REJECTION OF CLAIMS 1-17, 21 AND 25-26 UNDER 35 USC 102(b)

Claims 1-17, 21 and 25-26 have been rejected under 35 USC 102(b) as being anticipated by U.S. Application Publication No. 2002/0126005 issued to Hardman et al., hereinafter Hardman.

Without conceding to the correctness of the Examiner's objection, but in order to expedite prosecution, the Applicant has amended claim 1 to more clearly define the scope of protection sought. Amended claim 1 now recites: a system for tracking an object comprising: at least one device for encoding a medium coupled to the object with a unique identifier identifying the object and for reading the identifier; an object management database for storing, in association with the object via the identifier,

performance information, comprising at least one object-related performance characteristic, and servicing information, identifying at least one service operation on the object provided by a service provider, for object tracking, at least a portion of said servicing information being provided by said service provider; and a processor operatively coupled to the object management database for managing retrieval, storage and distribution of performance information and servicing information between at least the object management database and the service provider. Similarly, the Applicant has amended claim 12 to recite: a method for tracking an object comprising: encoding a medium coupled to the object with a unique identifier identifying the object; storing in an object management database, in association with the object via the identifier, performance information comprising at least one object-related performance characteristic and servicing information identifying at least one service operation on the object provided by a service provider, for object tracking, at least a portion of said servicing information being provided by said service provider; and managing retrieval, storage and distribution of performance information and servicing information between at least the object management database and the service provider.

Hardman, in contrast, is focused on an electronic tire maintenance system for measuring a parameter of a device **using a sensor** for measuring the device parameter and generating a data signal representing the measured parameter. The complicated Hardman sensor device is a tire tag attached to a tire for **sensing** tire parameters and includes a memory for storing the sensed data and is further configured to sleep/awaken according to various protocols.

The Applicant asserts that Hardman does not teach the system or method claimed in claim 1 or 12 as amended. The parameters given by the device of Hardman are those measured by a sensor and are hence limited to those that can be **sensed** by the tire tag, as opposed to performance information comprising at least one object-related performance characteristic and servicing information identifying at least one service operation on the object provided by a given service provider. While Hardman teaches a tire tag storing information sensed by a tire tag sensor, amended claims 1 and 12 recite that at least a portion of the servicing information is provided by the service provider. In Hardman the information is not provided by the service provider, but limited to that sensed via tire tag sensors.

In fact, Hardman teaches away from such a system and method as recited in amended claims 1 and 12 by teaching a device that is limited to information that can be **sensed** by the tire tag. Relying merely on sensed data does not allow for a system storing performance information or servicing information, with at least a portion of said servicing information being provided by a service provider. Thus a person of skill in the art having regard to the teachings of Hardman would not have been led to the solution of amended claim 1 or 12, but rather would have been led away from such solutions by the sensor-limited data of Hardman. For example, Hardman teaches that in order for the tire tag to provide the servicing information of tire rotations, it would require another sensor (see paragraph [0085], lines 2 - 4), clearly leading a skilled person away from the solutions taught in amended claims 1 and 12.

Accordingly, amended claims 1 and 12, and claims 2 - 5, 9, 11, 13 and 16 to 17, as amended, by virtue of their dependency, are novel over Hardman as Hardman fails to

teach or even suggest each and every element of these claims. Furthermore, a person of skill in the art could not have been led to the solutions taught therein. The Applicant respectfully requests that the Examiner withdraw the rejection of these claims.

3. **REJECTION OF CLAIMS 18 - 20 AND 25 - 26 UNDER 35 USC 102(b)**

The Examiner rejected claims 18 - 20 and 25 - 26 as being anticipated by Lee et al. in U.S. Publication No. 2003/0006121, hereinafter Lee. Lee is focused on a radio frequency identification system for tracking currency.

Without conceding to the correctness of the Examiner's rejection, but in order to expedite prosecution of the application, the Applicant has amended claims 18 - 20. Amended claim 18 now recites: A method of encoding a medium for identifying an object in an object tracking system comprising: generating an identifier based on a service provider for servicing the object and at least another characteristic associated with the object; updating with said generated identifier a list of identifiers stored at a registration database; encoding the medium coupled to the object with the generated identifier; and registering the object in an object management database for tracking the object using the generated identifier.

In contrast, the Lee system is concerned with identifying and tracking currency. As such the Lee identifier contains data such as the currency amounts and serial number. A tracking system for currency is designed to identify, count and authenticate the currency. Accordingly this reference does not teach, hint or even suggest generating an identifier based on a service provider for servicing an object. There would be no use for

such an identifier in the field of currency tracking. A person of skill in the art having reference to Lee could not be led to the solution of amended claim 18.

Accordingly the Applicant asserts that claim 18, as amended, along with amended claims 19 and 20 by virtue of their dependency, are novel in light of Lee as Lee fails to teach each and every element of this claim and respectfully requests that the Examiner remove this rejection.

Claims 25 – 26 have been withdrawn without prejudice.

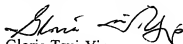
4. REJECTION OF CLAIMS 23 - 24 UNDER 35 USC 103(a)

The Examiner objected to claims 23 - 24 as being obvious over Lee and further in view of Hardman. Claims 23 - 24 have been withdrawn without prejudice.

5. CONCLUSION

By virtue of the Applicant's amendment to the claims and remarks thereto, all outstanding grounds of rejection and objection have been addressed and dealt with and, based thereon, it is believed that the application is now in condition for allowance and such action is respectfully solicited.

Respectfully submitted,



Gloria Tsui-Yip
Attorney for Applicant
Reg. No. 42,188
MISKIN & TSUI-YIP LLP
1350 Broadway, Suite 802
New York, NY 10018
(212) 268-0900